

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

:

Judgment Creditor,

:

-against-

:

Case Nos. 11 CV 1590-LTS-HBP and
11-8726-LTS

NOVA GROUP, INC., as trustee, sponsor and
fiduciary of THE CHARTER OAK TRUST
WELFARE BENEFIT PLAN,

:

:

Judgment Debtor.

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NOTICE OF MOTION FOR TURNOVER ORDER

PLEASE TAKE NOTICE that, upon the Declaration of Paula K. Colbath, Esq., and exhibits attached thereto, and accompanying Memorandum of Law, dated April 22, 2016, Petitioner/Judgment Creditor Universitas Education, LLC, by its attorneys Loeb & Loeb LLP, hereby moves this Court, before the Hon. Laura Taylor Swain, at the United States Courthouse located at 500 Pearl Street, New York, NY 10007, for an Order, pursuant to Fed. R. Civ. P. 69(a)(1) and N.Y. C.P.L.R. § 5225(b):

1. Directing that \$253,112.74 of the funds on deposit at Webster Bank in New York, representing assets owned by Judgment Debtor Grist Mill Grist Mill Trust Welfare Benefit Plan ("Grist Mill Plan") (Webster account number XXXXXXXX419), and any additional surplus monies belonging to the Grist Mill Plan remaining in the account above this amount and not earmarked by the Grist Mill Plan for its premium payments, be turned over to Universitas;
2. Directing that the funds on deposit at Webster Bank in New York, which holds an account for Hanover Benefit Plans, LLC, Judgment Debtor Grist Mill Plan's Plan Sponsor (Webster Bank account number XXXXXXXX426), with a balance of \$149,412.20 as of February 29, 2016, be turned over to Universitas; and
3. Granting such other and further relief as the Court deems just and proper.

Dated: April 22, 2016
New York, New York

LOEB & LOEB LLP

By: /s/ Paula K. Colbath
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